

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MACROMEX Srl,

Petitioner,

- against -

08 Civ. 0114 (SAS)

AMENDED JUDGMENT

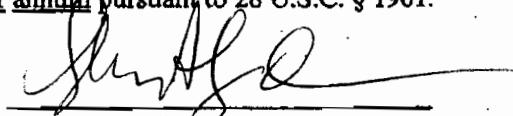
GLOBEX INTERNATIONAL INC.,

Respondent.

X

Pursuant to the Opinion and Order of this Court entered herein on April 16, 2008, it is

ORDERED, ADJUDGED and DECREED that the Final Award of the arbitrator (dated December 12, 2007, as amended December 27, 2007) in the amount of \$885,982.92 be and the same is hereby confirmed and that plaintiff MACROMEX SRL have judgment against defendant GLOBEX INTERNATIONAL INC. in said amount, together with post-award/pre-judgment interest in the amount of \$8,917.44 pursuant to paragraph D of the Final Award plus post-judgment interest at the rate of 1.63 percent per annum pursuant to 28 U.S.C. § 1961.



U.S. D.J.

Dated: New York, New York
April 18, 2008

Nicoletti Hornig & Sweeney

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OF COUNSEL

NEW JERSEY OFFICE:

401 CONTINENTAL PLAZA,

HACKENSACK, NEW JERSEY 07601

TELEPHONE 201-843-0970

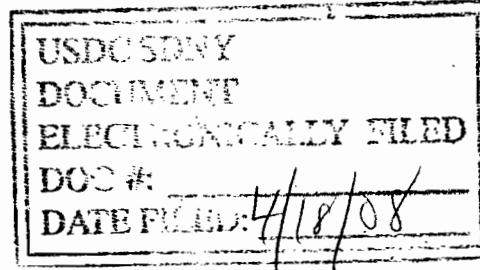
TELECOPIER 201-843-8882

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† ALSO ADMITTED IN NEW JERSEY
‡ ALSO ADMITTED IN CONNECTICUT
◊ ALSO ADMITTED IN NORTH CAROLINA

April 17, 2008



BY HAND

Honorable Shira A. Scheindlin
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street, Room 1620
New York, New York 10007

RE: Macromex Srl v. Globex International Inc.
08 Civ. 00114 (SAS)
Our File: 00000717 JFS

Dear Judge Scheindlin:

We are attorneys for plaintiff Macromex in the captioned matter. Your April 16, 2008 Opinion and Order confirmed the arbitrator's Final Award.¹

However, the Judgment thereupon entered by the Clerk of the Court confirms the award and closes the case, but provides for no dollar amount.

Accordingly, we attach a proposed Amended Judgment confirming the Final Award and providing for/detailing the amount due and owing. We request that the Court sign this Amended Judgment and direct entry thereof.

¹ At page 5 of the Opinion and Order, the wrong amount of the Final Award is mentioned, as the arbitrator later corrected this figure to \$885,982.92. See Ex. E to Petition to Confirm. The proposed Amended Judgment (attached) duly reflects this correct figure.

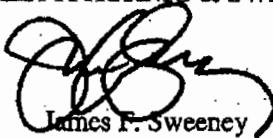
April 17, 2008
Page 2

Thank you.

Respectfully yours,

NICOLETTI HORNIG & SWEENEY

By:



James F. Sweeney

JFS/mar
Enc.

cc: (w/o enc.)

VIA TELEFAX (No.: 212-884-8490)

Stanley McDermott, Esq.
Sarah Sterken, Esq.
DLA Piper US LLP
1251 Avenue of the Americas
New York, New York 10020

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United States District Court
Southern District of New York
Office of the Clerk
U.S. Courthouse
500 Pearl Street, New York, N.Y. 10007-1213

Date:

In Re:

-v-

Case #: ()

Dear Litigant,

Enclosed is a copy of the judgment entered in your case.

Your attention is directed to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, which requires that if you wish to appeal the judgment in your case, you must file a notice of appeal within 30 days of the date of entry of the judgment (60 days if the United States or an officer or agency of the United States is a party).

If you wish to appeal the judgment but for any reason you are unable to file your notice of appeal within the required time, you may make a motion for an extension of time in accordance with the provision of Fed. R. App. P. 4(a)(5). That rule requires you to show "excusable neglect" or "good cause" for your failure to file your notice of appeal within the time allowed. Any such motion must first be served upon the other parties and then filed with the Pro Se Office no later than 60 days from the date of entry of the judgment (90 days if the United States or an officer or agency of the United States is a party).

The enclosed Forms 1, 2 and 3 cover some common situations, and you may choose to use one of them if appropriate to your circumstances.

The Filing fee for a notice of appeal is \$5.00 and the appellate docketing fee is \$450.00 payable to the "Clerk of the Court, USDC, SDNY" by certified check, money order or cash. No personal checks are accepted.

J. Michael McMahon, Clerk of Court

by: _____

, Deputy Clerk

APPEAL FORMS

Docket Support Unit

Revised: April 9, 2006

United States District Court
Southern District of New York
Office of the Clerk
U.S. Courthouse
500 Pearl Street, New York, N.Y. 10007-1213

X

-v-

X

NOTICE OF APPEAL

civ.

()

Notice is hereby given that _____
(party)
hereby appeals to the United States Court of Appeals for the Second Circuit from the Judgment [describe it]

entered in this action on the _____ day of _____, _____
(day) (month) (year)

(Signature)

(Address)

(City, State and Zip Code)

Date: _____ () _____
(Telephone Number)

Note: You may use this form to take an appeal provided that it is received by the office of the Clerk of the District Court within 30 days of the date on which the judgment was entered (60 days if the United States or an officer or agency of the United States is a party).

FORM 1

United States District Court
Southern District of New York
Office of the Clerk
U.S. Courthouse
500 Pearl Street, New York, N.Y. 10007-1213

X

**MOTION FOR EXTENSION OF TIME
TO FILE A NOTICE OF APPEAL**

-v-

civ.

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X

Pursuant to Fed. R. App. P. 4(a)(5), _____ respectfully
(party)
requests leave to file the within notice of appeal out of time. _____
(party)
desires to appeal the judgment in this action entered on _____ but failed to file a
(day)
notice of appeal within the required number of days because:

[Explain here the "excusable neglect" or "good cause" which led to your failure to file a notice of appeal within the required number of days.]

(Signature)

(Address)

(City, State and Zip Code)

Date: _____

() _____ - _____
(Telephone Number)

Note: You may use this form, together with a copy of Form 1, if you are seeking to appeal a judgment and did not file a copy of Form 1 within the required time. If you follow this procedure, these forms must be received in the office of the Clerk of the District Court no later than 60 days of the date which the judgment was entered (90 days if the United States or an officer or agency of the United States is a party).

APPEAL FORMS

Docket Support Unit

Revised: April 9, 2006

FORM 2

United States District Court
Southern District of New York
Office of the Clerk
U.S. Courthouse
500 Pearl Street, New York, N.Y. 10007-1213

X

-v-

NOTICE OF APPEAL
AND
MOTION FOR EXTENSION OF TIME

civ.

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X

1. Notice is hereby given that _____ hereby appeals to
(party)
the United States Court of Appeals for the Second Circuit from the judgment entered on _____
[Give a description of the judgment]

2. In the event that this form was not received in the Clerk's office within the required time
respectfully requests the court to grant an extension of time in
(party)
accordance with Fed. R. App. P. 4(a)(5).

a. In support of this request, _____ states that
(party)
this Court's judgment was received on _____ and that this form was mailed to the
(date)
court on _____
(date)

(Signature)

(Address)

(City, State and Zip Code)

Date: _____ () _____
(Telephone Number)

Note: You may use this form if you are mailing your notice of appeal and are not sure the Clerk of the District Court will receive it within the 30 days of the date on which the judgment was entered (60 days if the United States or an officer or agency of the United States is a party).

FORM 3

**United States District Court
Southern District of New York
Office of the Clerk
U.S. Courthouse
500 Pearl Street, New York, N.Y. 10007-1213**

X

AFFIRMATION OF SERVICE

-V-

civ.

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X

I, _____, declare under penalty of perjury that I have

served a copy of the attached _____

upon _____

whose address is: _____

Date: _____
New York, New York

_____ (Signature)

_____ (Address)

_____ (City, State and Zip Code)